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In re Application of:
Huber et al. : DECISION ON PETITION TO
Serial No.: 10/070,275 : WITHDRAW THE HOLDING
Filed: March 6, 2002 : OF ABANDONMENT
Attorney Docket No.: 17725 PCT (PC28530A) :

This is in response to applicants' petition under 37 CFR § 1.181(a) filed on June 24, 2005, requesting withdrawal of the holding of abandonment based on the timely filing of a response to the Office action mailed January 2, 2003.

A review of the file history shows that the examiner mailed an Office action to applicants on January 2, 2003, setting a three-month statutory time period for reply. On September 30, 2003, the examiner mailed a notice of abandonment for failure to respond to the outstanding Office action.

Applicants state that a timely response to the Office action was filed on April 1, 2003, as evidenced by the Certificate of Mailing date of April 1, 2003; and received by the USPTO on April 7, 2003, as evidenced by the return receipt stamped postcard. Applicants also point out that the notice of abandonment was sent to the wrong address.

In view of this evidence, applicants are considered to have submitted a timely reply.

Applicants' petition is **GRANTED**. This application will be forwarded to the examiner for consideration of the Response of April 1, 2003.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile at 703-872-9306.

*Marianne C. Seidel for
George Elliott
Director, Technology Center 1600*